

LAW OFFICES OF HARRIS B. TABACK  
HARRIS B. TABACK, California State Bar Number 111017  
345 Franklin Street, Suite 102  
San Francisco, CA 94102  
Telephone: (415) 241-1400  
Fax: (415) 565-0110  
Email: [Htaback@earthlink.net](mailto:Htaback@earthlink.net)

Attorney for Defendant  
URIEL SOTO

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

Plaintiff,

V.

URIEL SOTO

Defendant.

NO: 0971 3:20 - CR 00452- 004 WHO

**DEFENDANT SOTO'S  
SENTENCING MEMORANDUM**

Date: December 8, 2022

Time: 1:30 p.m.

Courtroom: The Honorable William H.  
Orrick III, United States District Judge

Comes now the Defendant URIEL SOTO, by and through undersigned Counsel, who respectfully submits this Sentencing Memorandum.

The defense has no objections to the Pre Sentence Investigation Report. Further, we agree with Probation's recommendation of a 3553(a) variance from the Sentencing Guidelines to a sentence of time served with 3 years of Supervised Release along with the requested 9 Conditions of Supervision. We also appreciate the recommendation by the Government for the same sentence of credit for time served.

This Honorable Court certainly knows SOTO better than any of us and Counsel is certain that it is beyond pleased with his performance in CAP. That program requires a ton of commitment and true grit to turn a life tormented by substance abuse around.

1 SOTO has demonstrated remarkable post offense rehabilitation. He has strong family ties  
 2 and obligations, is gainfully employed and enjoys a loving support network as referenced in the  
 3 letters provided to probation. He has successfully completed CAP (as well as counseling  
 4 requirements while on Pre-Trial Release) and has all the necessary tools to successfully complete  
 5 Supervised Release with two years of sobriety under his belt. These 3553(a) factors combined with  
 6 his chronic alcohol and substance abuse that was the driving engine of his criminal conduct 19  
 7 months ago and his sincere remorse support a variance to credit for time served.

8 Probation concludes that:

9 In looking at the statutory purposes of sentencing, the undersigned officer  
 10 believes that the focus of sentencing should primarily be on the need to  
 11 reflect the seriousness of the offense, and to protect the public from future  
 12 crimes. However, in this case, Mr. Soto is close to graduating from the  
 13 Convictions Alternative Program (CAP), which included treatment,  
 14 developing a peer support network, he has maintained employment for over  
 15 a year and a half and sobriety for over two years. He has demonstrated that  
 at this point a sentence of incarceration would have no corrective purpose.  
 Mr. Soto's work over the last year has demonstrated an extraordinary post-  
 offense rehabilitative effort. Further, it is clear that his history of addiction  
 was at the root of his struggles for several decades.

16 PSR, Sentencing Recommendation, Page 2.

17 For all the above reason, Counsel respectfully joins in the Sentencing Recommendation of  
 18 the Government and Probation and requests a sentence of credit for time served. SOTO is amenable  
 19 to supervision and enjoys strong community support to help him stay on the golden path ahead.

20 Dated: November 30, 2022

Respectfully Submitted,

21 LAW OFFICES OF HARRIS B. TABACK

22 By: \_\_\_\_\_ S \_\_\_\_\_

23 HARRIS B. TABACK

24 Attorney for Defendant URIEL SOTO